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16198393739 From: Mark Huebscher

SEP 24 2012

PTO/SB/65 (03-09)  
Approved for use through 03/31/2012. OMB 0651-0016  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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<b>PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))</b>	Docket Number (Optional) HYLOFT05-05
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Mail to: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450  
Fax: (571) 273-8300

09/25/2012 DALLEN 00000003 6409031

01 FC:1599

2125.00 OP

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent Number: 6,409,031

Application Number: 09/653,106

Issue Date: 06/25/2002

Filing Date: 08/31/2000

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable:

The above-identified patent:

☐ is a reissue of original Patent No. \_\_\_\_\_ original issue date \_\_\_\_\_  
original application number \_\_\_\_\_  
original filing date \_\_\_\_\_

☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international application  
\_\_\_\_\_ filed on \_\_\_\_\_

**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is:

(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 OR

(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

9/23/2012  
Date

/Mark R. Huebscher/

Signature

Mark R. Huebscher

Typed or printed name of person signing Certificate

[Page 1 of 4]

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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## 1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27

## 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

## 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 ½ yr fee	(1551)	<input type="checkbox"/> \$ _____	3 ½ yr fee	(2551)
<input type="checkbox"/> \$ _____	7 ½ yr fee	(1552)	<input checked="" type="checkbox"/> \$ 1425	7 ½ yr fee	(2552)
<input type="checkbox"/> \$ _____	11 ½ yr fee	(1553)	<input type="checkbox"/> \$ _____	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 1425

## 4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ 700 (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 700

## 5. MANNER OF PAYMENT

- ☐ Enclosed is a check for the sum of \$ \_\_\_\_\_
- ☐ Please charge Deposit Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_
- ☒ Payment by credit card. Form PTO-2038 is attached.

## 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

- ☐ The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. \_\_\_\_\_

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PTO/SB/65 (03-09)

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## 7. OVERPAYMENT

As to any overpayment made, please

☐ Credit to Deposit Account No. \_\_\_\_\_

OR

☒ Send refund check

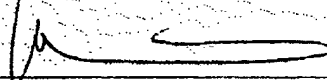
## WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

## 8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

## 9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

  
 Signature(s) of Petitioner(s)  
 Michael John Mickich  
 Typed or printed name(s)  
 530 W. Patrick Ln  
 Address  
 Las Vegas NV 89118  
 Address

9/18/12  
 Date  
 Registration Number, if applicable  
 702-630-0553  
 Telephone Number

## ENCLOSURES:

- ☒ Maintenance Fee Payment  
☒ Statement why maintenance fee was not paid timely  
☒ Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)  
☐ Other: \_\_\_\_\_

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PTO/SB/85 (03-09)

Approved for use through 03/31/2012. OMB 0651-0018  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

/Mark R. Huebscher/

Signature

9/23/2012

Date

Mark R. Huebscher

Type or printed name

60,796

Registration Number, if applicable

STATEMENT

(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

Please see the attached statement under 37 CFR 1.378, and other supporting documents.

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(Please attach additional sheets if additional space is needed)

[Page 4 of 4]

September 21, 2012

On March 1, 2010, Hyloft, Inc. ("Assignee") filed bankruptcy. HyLoft's president, Michael Mikich ("Mikich"), was terminated on March 1, 2010. Thereafter, Yvette Weinstein ("Trustee") was appointed as arbiter of the bankrupt estate, but the Assignee did not continue to operate as a company. As such, the Trustee's primary role was to engage in litigation between various parties involved in the pre-bankrupt enterprise. During the two years that followed, numerous legal actions were filed. Among the various legal actions and positions, the Trustee asserted that the bankrupt estate owned various patents that were alleged to have been transferred, including US Patent No. 6,409,031. However, the Trustee did not engage patent counsel, nor inform the estate's former patent counsel (Mr. Morishita) of the state of affairs. On April 22, 2010, HyLoft's former patent counsel sent a maintenance fee payment reminder by email only (see attached) to the last known email address for the company, Mikich, who was no longer employed by the company. It is believed that the correspondence was not received by anyone and no instructions were given to former patent counsel to send elsewhere. At the time, it was not clear who was in charge of Assignee and its intellectual property because multiple parties asserted rights, but none was in a position to take action.

The petitioner then acquired the patent from the bankrupt estate, and retained new patent counsel. On May 30, 2012, counsel reported to petitioner that US Patent No. 6,409,031 went abandoned on June 26, 2010 for failure to pay the required maintenance fee. On May 31, 2012, counsel advised that revival of US Patent No. 6,409,031 was possible by filing a petition, paying the maintenance fee, and paying a surcharge fee. On June 26, 2012, counsel reminded petitioner to provide a direction to proceed, at which time petitioner responded in the affirmative to proceed with a petition to revive. Given that evidence is required prior to submitting a petition to accept unavoidably delayed payment of maintenance fee under 37 CFR 1.378(b), petitioner and counsel launched an investigation spanning several weeks.

The investigation concluded on July 24, 2012. As outlined earlier, counsel learned that the petitioner and all inventors, was not associated with Assignee before and during the period when the maintenance fee became due because Assignee filed for bankruptcy on March 1, 2010 (see attached). The duty to pay all fees and other tasks required to sustain the Assignee's patent portfolio presumably became the responsibility of the Trustee on March 1, 2010 (see attached).

The chronology of events showing the entire delay for delayed payment of the maintenance fee was reasonable is as follows:

November 13, 2009: Hyloft became insolvent, when City National Bank obtained a TRO against HyLoft, Inc.

March 1, 2010: Hyloft, Inc. filed for bankruptcy. Trustee assigned to manage Hyloft matters. Mikich is terminated by the bankrupt HyLoft, Inc.

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HYLOFT  
INCORPORATED

April 22, 2010: Attorney Morishita produced evidence that attorney sent reporting letter to Mikich regarding maintenance fees for 6,409,031. However, Mikich was no longer an employee or involved with HyLoft, does not believe that he ever received the communication, and took no action thereon. No one told Morishita to report to the bankruptcy Trustee; Trustee had not taken any action to assert control over the files.

December 2011: Petitioner acquires all of Assignee's IP assets from bankruptcy

April, 2012: Petitioner retained current patent counsel to research status of patent portfolio

May 30, 2012: Counsel reported to petitioner that 6,409,031 became abandoned on June 26, 2010

May 31, 2012: Counsel reported to petitioner that revival was possible via petition

June 26, 2012: Counsel reminded petitioner of option to revive

June 27, 2012: Counsel and petitioner launched investigation

July 24, 2012: Counsel and petitioner completed investigation

August 2012: Counsel gathers data and begins drafting petition to revive.

Sept 19, 2012: Counsel files current petition to revive under 37 CFR 1.378(b).

Encl:

- Maintenance fee payment reminder
- Hyloft Bankruptcy filing & Trustee appointment document

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Las Vegas, Nevada 89147  
tel (702) 222-2113  
fax (702) 227-0615  
e-mail rrm@morishitalawfirm.com

ROBERT RYAN MORISHITA  
Registered Patent Attorney  
Utah and Nevada Bars

April 22, 2010

VIA E-MAIL ONLY [mike@diamondstorageconcepts.com](mailto:mike@diamondstorageconcepts.com)PRIVILEGED AND CONFIDENTIAL

Mr. Michael J. Mikich

Re: Payment of Maintenance Fee for U.S. Patent No. 6,409,031  
Title: Ceiling Mounted Rack  
Our File No.: HYLOFT 05-05

Dear Mr. Mikich:

As you may know, maintenance fees are due to be paid on all U.S. Utility Patents at 3.5, 7.5, and 11.5 years after the issue date of the patent. These fees may be paid as late as 4, 8, and 12 years after the issue date by paying a late payment surcharge. Currently, the maintenance fees are \$490.00 at 3.5 years, \$1,240.00 at 7.5 years, and \$2,055.00 at 11.5 years for small entities. The fees usually change annually.

A maintenance fee is due to be paid to the U.S. Patent and Trademark Office for the above-identified U.S. Patent. The fee is \$1240.00 and was due to be paid by December 29, 2009 to avoid any late fees. After this date, the fee may be paid as late as June 25, 2010, with the payment of a late payment surcharge of \$65.00. **After this grace period has ended, your issued patent will expire and will no longer be enforceable.** While it is possible to revive an expired patent for short period after expiration, the revival is expensive and the time window is short.

If you wish me to pay the maintenance fee for you, I will need instructions, an advance of \$1240.00, \$65.00 for the surcharge plus \$250.00 to cover our fee, at least two weeks before the final deadline of June 25, 2010. **If we do not hear from you, we will take no action and your patent will expire.** If you have any questions, please call.

Sincerely,

*Robert Ryan Morishita / RRM*  
Robert Ryan Morishita

RRM:tas  
G:\Hyloft\0505 maint fee reminder.wpd

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B1 (Official Form 11)(1/08)

United States Bankruptcy Court District of Nevada		Voluntary Petition
Name of Debtor (if individual, enter Last, First, Middle): <b>HYLOFT, INC.</b>		Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): <b>FDBA HYLOFT USA, LLC</b>		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): <b>88-0468741</b>		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all):
Street Address of Debtor (No. and Street, City, and State): <b>P.O. BOX 30847 LAS VEGAS, NV</b>		Street Address of Joint Debtor (No. and Street, City, and State):
ZIP Code <b>89173</b>		ZIP Code
County of Residence or of the Principal Place of Business: <b>CLARK</b>		County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address):		Mailing Address of Joint Debtor (if different from street address):
ZIP Code		ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above): <b>5030 W. OQUENDO RD LAS VEGAS, NV 89118</b>		
<b>Type of Debtor</b> (Form of Organization) (Check one box)  <input type="checkbox"/> Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (if debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check one box)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other  <b>Tax-Exempt Entity</b> (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box)</b>  <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  <b>Nature of Debts</b> (Check one box)  <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(3) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.
<b>Filing Fee (Check one box)</b> <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.		<b>Check one box:</b> <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). <b>Check if:</b> <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.  <b>Check all applicable boxes:</b> <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
<b>Statistical/Administrative Information</b> <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		THIS SPACE IS FOR COURT USE ONLY  <div style="writing-mode: vertical-rl; transform: rotate(180deg);">           2012 SEP 24 PM 2:00            45010            45010         </div>
<b>Estimated Number of Creditors</b> <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000		
<b>Estimated Assets</b> <input checked="" type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		
<b>Estimated Liabilities</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		



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B1 (Official Form 1)(1/08)

Page 2

**Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):  
HYLOFT, INC.**All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)**Location  
Where Filed: - None -

Case Number:

Date Filed:

Location  
Where Filed:

Case Number:

Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)**Name of Debtor:  
- None -

Case Number:

Date Filed:

District:

Relationship:

Judge:

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.**Exhibit B**(To be completed if debtor is an individual whose debts are primarily consumer debts.)  
I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

X

Signature of Attorney for Debtor(s)

(Date)

**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.☒ No.**Exhibit D**(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)  
☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.**Information Regarding the Debtor - Venue**  
(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

**Certification by a Debtor Who Resides as a Tenant of Residential Property**  
(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

(Name of landlord that obtained judgment)

(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

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BI (Official Form 1)(1/08)

Page 3

**Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):

HYLOFT, INC.

**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.  
[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.  
[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X \_\_\_\_\_  
Signature of Debtor

X \_\_\_\_\_  
Signature of Joint Debtor

\_\_\_\_\_  
Telephone Number (If not represented by attorney)

\_\_\_\_\_  
Date

**Signature of Attorney\***

X /s/ AMBRISH S. SIDHU  
Signature of Attorney for Debtor(s)

AMBRISH S. SIDHU 7516  
Printed Name of Attorney for Debtor(s)

SIDHU LAW FIRM, LLC  
Firm Name

810 S. CASINO CENTER BLVD.  
SUITE 104  
LAS VEGAS, NV 89101

\_\_\_\_\_  
Address

Email: asidhu@sidhulawfirm.com

702-384-4436 Fax: 702-384-4437

\_\_\_\_\_  
Telephone Number

March 1, 2010  
Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ MIKE MIKICH  
Signature of Authorized Individual

MIKE MIKICH

\_\_\_\_\_  
Printed Name of Authorized Individual

PRESIDENT

\_\_\_\_\_  
Title of Authorized Individual

March 1, 2010

\_\_\_\_\_  
Date

**Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X \_\_\_\_\_  
Signature of Foreign Representative

\_\_\_\_\_  
Printed Name of Foreign Representative

\_\_\_\_\_  
Date

**Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

\_\_\_\_\_  
Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

\_\_\_\_\_  
Address

X \_\_\_\_\_

\_\_\_\_\_  
Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

Case 10-13300-mkn Doc 1 Entered 03/01/10 17:49:20 Page 4 of 7

HYLOFT, INC.  
P.O. BOX 30847  
LAS VEGAS, NV 89173

AMBRISH S. SIDHU  
SIDHU LAW FIRM, LLC  
810 S. CASINO CENTER BLVD.  
SUITE 104  
LAS VEGAS, NV 89101

ACQUISITION FACILITATOR LLC  
2575 MONTESSOURI ST  
SUITE 200  
LAS VEGAS, NV 89117

ADVERTISING & MARKETING SOLUTIONS, INC  
9670 W. TROPICANA AVE.  
SUITE 125  
LAS VEGAS, NV 89147

BOWEN, GUERRERO & HOWE, LLC  
28 E. JACKSON BLVD.  
SUITE 300  
CHICAGO, IL 60604

CABLE INVESTMENTS-DIABLO LP  
7235-A BERMUDA ROAD  
LAS VEGAS, NV 89119

CINTAS CORPORATION  
2460 KIEL WAY  
NORTH LAS VEGAS, NV 89030

COMMERCE TECHNOLOGIES, INC.  
P.O. BOX 33197  
HARTFORD, CT 06150-3197

DBPB ACQUISITIONS, LLC  
2575 MONTESOSOURI ST.  
SUITE 200  
LAS VEGAS, NV 89117

DMI  
10017 YUKON AVE.  
MINNEAPOLIS, MN 55438

DUCKOR SPLADING METZGER & WYNNE  
3043 4 TH AVE.  
SAN DIEGO, CA 92103

FAR WEST MARKETING  
104723 SE 23RD AVE  
PORTLAND, OR 97222

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Case 10-13300-mkn Doc 1 Entered 03/01/10 17:49:20 Page 5 of 7

FENNEMORE CRAIG, P.C.  
3003 N. CENTRAL AVE  
SUITE 2600  
PHOENIX, AZ 85012-2913

GRAMPUS ENTERPRISES, INC.  
1907 SILVERBELL TERRACE  
FORT LAUDERDALE, FL 33327

HANDLES USA  
202 NORTH OAK ST.  
P.O. BOX 250  
ARCOLA, IL 61910

HANLEY-WOOD, LLC  
P.O. BOX 75324  
BALTIMORE, MD 21275

HARTFORD  
P.O. BOX 2907  
HARTFORD, CT 06104

HARTFORD INSURANCE  
P.O. BOX 2907  
HARTFORD, CT 06104-2907

HESHENG HARDWARE PRODUCTS CO.  
NO. 725 HULIAN ROAD  
SHANGHAI  
CHINA

HOME IMPROVEMENT EXECUTIVE  
701 N. ANDERSON  
ELLENSBURG, WA 98926

HOMEBUILDER EXECUTIVE  
25 EAST 21ST ST.  
NEW YORK, NY 10010

INNOVATIVE NETWORK SOLUTIONS  
175 CASSIA WAY  
SUITE A119  
HENDERSON, NV 89014

KUNSHAN DA FU METALWARE CO.  
1288-1299 DATONG RD. PENGLANG TOWN  
KUSHAN  
CHINA

KUNSHAN JIACHI HARDWARE INSUDTRY CO  
NO. 199 XINTAN ROAD SHIPU VILLAGE  
QIANDENG TOWN  
CHINA

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NANHAI TEXTILES IMPORT & EXPORT CO.  
GUANGDONG WEIBAO ROAD  
PINXI NANHAI DISTRICT  
FOSHAN GUANGDONG  
CHINA

NATIONAL EVENT PUBLICAIONS  
570 ELMONT ROAD DEPT.203  
ELMONT, NY 11003

NEVADA DEPARTMENT OF TAXATION  
ATTN: BANKRUPTCY DEPT / MANAGING AGENT  
PO BOX 52609  
PHOENIX, AZ 85072

NEVADA PACKAGING  
3920 WEST SUNSET ROAD SUITE G  
LAS VEGAS, NV 89118

NICHOLAS CAUTHREN  
176 HERONS GATE DR.  
MOORESVILLE, NC 28117

ON WALL SOLUTIONS  
465 APPLE BLOSSOMS DR.  
ONTARIO  
CANADA

REPUBLIC SERVICES  
Acct No xx0 REC  
P.O. BOX 78040  
PHOENIX, AZ 85062-8040

RSVP PUBLICATIONS LAS VEGAS  
5275 N. JULIANO RD  
LAS VEGAS, NV 89149

RUSSEL ROSENBLUM  
11522 MORNING GROVE DR.  
LAS VEGAS, NV 89135

SAIA  
P.O. BOX 100816  
PASADENA, CA 91189

SASS CONSULTING  
172 CASTLES GATE DR.  
MOORESVILLE, NC 28117

SCHNEIDER NATIONAL, INC.  
2567 PAYSPIRE CIRCLE  
CHICAGO, IL 60674

2012 SEP 24 PM 2:00

REPTD  
10/1/2012  
10:00 AM

Case 10-13300-mkn Doc 1 Entered 03/01/10 17:49:20 Page 7 of 7

SELECT AIR CONDITIONING  
979 EMPIRE MESA  
HENDERSON, NV 89011

SHRED-IT  
7180 PLACID ST  
SUITE A  
LAS VEGAS, NV 89119

STAPLES  
P.O. BOX 6721  
THE LAKES, NV 88901

UNION RESOURCES AND ENGINEERING  
175 BEIJING ROAD  
KUMMING  
CHINA

UNSUM LIFE INSURANCE  
P.O. BOX 406990  
GA 30381-6990

UPS 40W1R5  
P.O. BOX 894820  
LOS ANGELES, CA 90189-4820

UPS CHAIN SUPPLY CHAIN SOLUTIONS  
28013 NETWORK SOLUTIONS INC.  
CHICAGO, IL 60673-1280

UPS FREIGHT  
P.O. BOX 730900  
DALLAS, TX 75373-0900

UPS SCS, INC.  
P.O. BOX 730900  
DALLAS, TX 75373

UPS SUPPLY CHAIN SOLUTIONS  
28013 NETWORK PLACE  
CHICAGO, IL 60673-1280

UPSA8X042  
P.O. BOX 894820  
LOS ANGELES, CA 90189-4820

YUNNAN NEW ERA TRADE  
YUNLING BUILDING LINGJUAOTANG  
DISTRICT KUNMUNG  
P.R.  
CHINA

2012 SEP 24 PM 2:00

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SEP 24 2012

Case 10-13300-mkn Doc 4 Entered 03/01/10 17:50:53 Page 1 of 2

B9B (Official Form 9B) (Chapter 7 Corporation/Partnership No Asset Case) (12/07)

Case Number 10-13300-mkn

UNITED STATES BANKRUPTCY COURT District of Nevada

**Notice of  
Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines**

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 3/1/10.

You may be a creditor of the debtor. This notice lists important deadlines. You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice. Case documents may be viewed at [www.nv.uscourts.gov](http://www.nv.uscourts.gov).

**Important Notice to Individual Debtors:** Debtors who are individuals must provide government-issued photo identification and proof of social security number at the meeting of creditors. Failure to do so may result in the dismissal of their case.

**See Reverse Side For Important Explanations**

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):  
HYLOFT, INC.  
fdba HYLOFT USA, LLC  
P.O. BOX 30847  
LAS VEGAS, NV 89173

Case Number:  
10-13300-mkn  
Judge: MIKE K. NAKAGAWA

Social Security / Individual Taxpayer ID / Employer Tax ID / Other  
nos:  
88-0468741

Attorney for Debtor(s) (name and address):  
AMBRISH S. SIDHU  
SIDHU LAW FIRM  
810 S. CASINO CENTER BLVD.  
SUITE 104  
LAS VEGAS, NV 89101  
Telephone number: 702-384-4436

Bankruptcy Trustee (name and address):  
YVETTE WEINSTEIN  
6450 SPRING MTN RD #14  
LAS VEGAS, NV 89146  
Telephone number: (702) 364-8919

2012 SEP 24 PM 2:00

**Meeting of Creditors**

Date: April 5, 2010

Time: 10:30 AM

Location: 300 Las Vegas Blvd., South, Room 1500, Las Vegas, NV 89101

**Creditors May Not Take Certain Actions:**

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

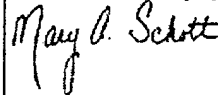
**Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.****Creditor with a Foreign Address:**

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

Address of the Bankruptcy Clerk's Office:  
300 Las Vegas Blvd., South  
Las Vegas, NV 89101  
Telephone number: (702)388-6257

**For the Court:**

Clerk of the Bankruptcy Court:



Mary A. Schott

Hours Open: Monday - Friday 9:00 AM - 4:00 PM

Date: 3/2/10

Case 10-13300-mkn Doc 4 Entered 03/01/10 17:50:53 Page 2 of 2

**EXPLANATIONS**

B9B (Official Form 9B) (12/07)

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under Chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment, taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; and starting or continuing lawsuits or foreclosures. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. The <i>debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors</i> . Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time</i> . If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office or at <a href="http://www.nvb.uscourts.gov">www.nvb.uscourts.gov</a> .
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
Trustee Information	<p>The United States Trustee has appointed the herein named person as interim trustee effective the date of filing as shown on page 1 of this form. The case is covered by a trustee's blanket bond, the original of which is on file with the court.</p> <p>The trustee may abandon property of the estate that is burdensome or is of inconsequential value and benefit to the estate without further notice of abandonment, pursuant to 11 U.S.C. Section 554(a). Further notice will be provided upon request only. Any non-exempt property scheduled, but not administered at the time of closing of a case will be deemed abandoned pursuant to 11 U.S.C. Section 554(c).</p> <p>Please note that the trustee may use, sell or lease all non-exempt property of the estate which has an aggregate value of less than \$2,500 WITHOUT FURTHER NOTICE TO CREDITORS. Pursuant to Federal Bankruptcy Rule 6004(d) any objection to the sale of estate property may be filed and served by a party in interest within 25 days of the mailing of this Notice of Commencement of Case.</p>
Refer to Other Side for Important Deadlines and Notices	

2012 SEP 24 PM 2:00

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Case 10-13300-mkn Doc 4-1 Entered 03/01/10 17:50:53 Page 1 of 2

B9B (Official Form 9B) (Chapter 7 Corporation/Partnership No Asset Case) (12/07)

Case Number 10-13300-mkn

UNITED STATES BANKRUPTCY COURT District of Nevada

**Notice of  
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**See Reverse Side For Important Explanations**

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

HYLOFT, INC.  
fdba HYLOFT USA, LLC  
P.O. BOX 30847  
LAS VEGAS, NV 89173

Case Number:  
10-13300-mkn  
Judge: MIKE K. NAKAGAWA

Social Security / Individual Taxpayer ID / Employer Tax ID / Other  
nos:  
88-0468741

Attorney for Debtor(s) (name and address):  
AMBRISH S. SIDHU  
SIDHU LAW FIRM  
810 S. CASINO CENTER BLVD.  
SUITE 104  
LAS VEGAS, NV 89101  
Telephone number: 702-384-4436

Bankruptcy Trustee (name and address):  
YVETTE WEINSTEIN  
6450 SPRING MTN RD #14  
LAS VEGAS, NV 89146  
Telephone number: (702) 364-8919

**Meeting of Creditors**

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Address of the Bankruptcy Clerk's Office:  
300 Las Vegas Blvd., South  
Las Vegas, NV 89101  
Telephone number: (702)388-6257

For the Court:  
Clerk of the Bankruptcy Court:



Mary A. Schott

Hours Open: Monday - Friday 9:00 AM - 4:00 PM

Date: 3/2/10

2012 SEP 24 PM 2:00

Case 10-13300-mkn Doc 4-1 Entered 03/01/10 17:50:53 Page 2 of 2

**EXPLANATIONS**

B9B (Official Form 9B) (12/07)

<b>Filing of Chapter 7 Bankruptcy Case</b>	A bankruptcy case under Chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
<b>Legal Advice</b>	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
<b>Creditors Generally May Not Take Certain Actions</b>	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment, taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; and starting or continuing lawsuits or foreclosures. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
<b>Meeting of Creditors</b>	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
<b>Do Not File a Proof of Claim at This Time</b>	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
<b>Bankruptcy Clerk's Office</b>	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office or at <a href="http://www.nvb.uscourts.gov">www.nvb.uscourts.gov</a> .
<b>Creditor with a Foreign Address</b>	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
<b>Trustee Information</b>	<p>The United States Trustee has appointed the herein named person as interim trustee effective the date of filing as shown on page 1 of this form. The case is covered by a trustee's blanket bond, the original of which is on file with the court.</p> <p>The trustee may abandon property of the estate that is burdensome or is of inconsequential value and benefit to the estate without further notice of abandonment, pursuant to 11 U.S.C. Section 554(a). Further notice will be provided upon request only. Any non-exempt property scheduled, but not administered at the time of closing of a case will be deemed abandoned pursuant to 11 U.S.C. Section 554(c).</p> <p>Please note that the trustee may use, sell or lease all non-exempt property of the estate which has an aggregate value of less than \$2,500 WITHOUT FURTHER NOTICE TO CREDITORS. Pursuant to Federal Bankruptcy Rule 6004(d) any objection to the sale of estate property may be filed and served by a party in interest within 25 days of the mailing of this Notice of Commencement of Case.</p>
<b>Refer to Other Side for Important Deadlines and Notices</b>	

2012 SEP 24 PM 2:00

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2012 SEP 24 PM 2:00

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Page 1 of 1

**10-13300-mkn HYLOFT, INC.****Case type: bk Chapter: 7 Asset: Yes Vol: v Judge: MIKE K. NAKAGAWA****Date filed: 03/01/2010 Date of last filing: 09/10/2012****Trustee****YVETTE WEINSTEIN**

6450 SPRING MTN RD #14

LAS VEGAS, NV 89146

(702) 364-8919

yweinsteinhds@earthlink.net

ASSIGNED: 03/01/2010

TERMINATED: 07/01/2011

(tr)

**WILLIAM A LEONARD**

6625 S. VALLEY VIEW #224

LAS VEGAS, NV 89118

(702) 262-9322

biff7tte@mindspring.com

ASSIGNED: 07/01/2011

(tr)

PACER Service Center			
Transaction Receipt			
09/19/2012 08:23:27			
PACER Login:	ds7262	Client Code:	
Description:	Trustee List	Search Criteria:	10-13300-mkn
Billable Pages:	1	Cost:	0.10

2012 SEP 24 PM 2:00

USPTO  
RECORDS  
MANAGEMENT

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SEP 24 2012

Case 10-13300-mkn Doc 403 Entered 06/30/11 10:41:36 Page 1 of 1

1 AUGUST B. LANDIS, ACTING UNITED STATES TRUSTEE  
 2 State Bar # IA PK9228  
 3 *augie.landis@usdoj.gov*  
 4 UNITED STATES DEPARTMENT OF JUSTICE  
 5 Office of the United States Trustee  
 6 300 Las Vegas Boulevard, So., Suite 4300  
 7 Las Vegas, Nevada 89101  
 8 Telephone: (702) 388-6600 Attorney Ext. # 235  
 9 Facsimile: (702) 388-6658

E-Filed on June 30, 2011

UNITED STATES BANKRUPTCY COURT  
 DISTRICT OF NEVADA

In re:

HY-LOFT, INC.,

Case No.: BK-S-10-13300-MKN

Chapter 7

Date: N/A

Time: N/A

Debtor.

2012 SEP 24 PM 2:00

USPTO  
SEP 27 10:00 AM  
2012

APPOINTMENT OF WILLIAM A. LEONARD AS  
SUCCESSOR TRUSTEE AND DESIGNATION OF BOND

Pursuant to 11 U.S.C. § 703 and the resignation of Yvette Weinstein, the Acting United States Trustee appoints WILLIAM A. LEONARD as successor trustee in this case. The blanket bond for chapter 7 trustees, previously on file with the Court, is designated as the required bond for WILLIAM A. LEONARD in this case. By this appointment, Yvette Weinstein is terminated as the trustee in this case.

Dated: June 30, 2011

THE ACTING UNITED STATES TRUSTEE

By: /s/ August B. Landis

August B. Landis

Acting United States Trustee for Region 17